> UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MASSACHUSETTS

ODITH THIBEAU and GEORGE THIBEAU, Plaintiffs,

UNITED STATES OF AMERICA Defendant.

RULE 7.1 (A) (2) CERTIFICATE OF COUNSEL

Pursuant to Rule 7.1 (A) (2) of the Local Rules of the United States District Court plaintiffs' counsel hereby certifies that he has conferred with counsel for the United States and the East Boston Neighborhood Health Center Corporation and attempted in good faith to resolve or narrow the issues raised by and regarding plaintiffs' proposed Motion To Join Additional Defendant And Consolidate Cases, and Motion To File Second Amended Complaint of the Federal Rules of Civil Procedure. As a result of such conference the defendants have agreed to assent to the aforementioned motions.

Plaintiffs

Judith and George Phibeau,

A. No. 04-10643 MLW

by their attorney

James L. Frederick, Esq.

В́ВО #543597

Koufman & Frederick

1330 Beacon Street, Suite 311

Brookline, MA 02446-3202

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by first class mail on July 19, 2004.

Christopher Alberto, Esq. Assistant U.S. Attorney
United States Attorney for The District of Massachusetts
U.S. Courthouse, Suite 9200
1 Courthouse Way Boston, MA 02210

Tory A. Weigand, Esq. Morrison Mahoney LLP 250 Summer Street Boston, MA 02210

James L. Ffederick, Esq. BBO #543597

Koufman & Frederick

1330 Beacon Street, Suite 311

Brookline, MA 02446

(617) 738-7880